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December 2, 2021

Via ECF

The Honorable Judge Block
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Docket Number: 20-cv-3668
Windward Bora, LLC v. Shami et al

Dear Judge Block:

This office represents Plaintiff Windward Bora LLC ("Plaintiff") in the referenced action. On November 18, 2021, the parties had a telephonic conference with Magistrate Judge Reyes, Jr. During the conference a discussion took place regarding the death of defendants Ezra Shami and Rachel Shami, which has put an automatic stay on this action. To date no administrator of their estates has been appointed.

At the time the action was commenced, Ezra Shami and Rachel Shami were necessary parties to the action because Ezra Shami is the obligor on the note and mortgage and Rachel Shami is listed as a borrower on the mortgage. However, at the time the action was commenced, the subject property was owned by Defendant Rachel Weiss.

Given the delay in appointing an administrator, the undersigned is requesting that Plaintiff be granted permission to dismiss the action as against Ezra Shami and Rachel Shami only lifting the automatic stay. Plaintiff has elected to forgo any deficiency against the estates of both Ezra Shami and Rachel Shami and will only seek recovery from the subject premises itself. Given that no deficiency will be sought, Ezra Shami and Rachel Shami are no longer necessary parties to this action. It is respectfully requested that Plaintiff be allowed to file a dismissal against Ezra Shami and Rachel Shami, or be granted leave to file a motion seeking said relief.

Thank you for your time and attention to this matter.

Very truly yours,

Rafi Hasbani
Rafi Hasbani, Esq.